REMARKS

Claims 1-33 are pending in this application. By this Amendment, claims 1, 7-12, 18, 23 and 29-33 are amended. No new matter is added. Reconsideration of the foregoing amendments and following remarks is respectfully requested.

The Office Action rejects claims 1-7, 12-18, 23, and 29 under 35 U.S.C. §101. Claims 1, 7, 12, 18, 23 and 29 are amended to obviate the rejection. As such, withdrawal of the rejection is respectfully requested.

The Office Action rejects claims 12 and 18 under 35 U.S.C. §101. Claims 12 and 18 are amended to obviate the rejection. As such, withdrawal of the rejection is respectfully requested. However, there is nothing in the cited MPEP section that says "carrier waves" are not tangible structures. They most certainly are. The cited passage only prohibits claiming "data structures" per se. Once in a carrier wave, they are tangible and are proper because they can cause functional change in a computer.

Claims 8-11 and 30-33 are amended to correct antecedent basis.

The Office Action rejects claims 1-33 under 35 U.S.C. §103(a) over U.S. Patent No. 5,835,098 to Baldwin in view of U.S. Patent No. 6,599,194 B1 to Smith et al. (Smith). This rejection is respectfully traversed.

Claim 1 recites, *inter alia*, means which transforms a depth value of each pixel of an original image into a second depth value formed of lower bits I to J which are positioned lower than the most significant bit of the depth value.

The Office Action alleges that Baldwin teaches this feature. Baldwin teaches at col. 25, lines 30-34 that the depth field holds the depth (Z) value associated with a pixel and can be 16, 24 or 32 bits wide. Col. 24, lines 63-67 of Baldwin teaches that The GID, FrameCount, Stencil and Depth fields in the localbuffer are converted into the internal format if they are less than their internal widths, i.e., the unused bits are the most significant bits and they are set to 0. However, Baldwin does not specifically teach or suggest transforming the

depth value of each pixel of an original image into a second depth value formed lower bits which are positioned lower than the most significant bit of the depth value.

Moreover, the Office Action alleges that the motivation for combining Baldwin and Smith is "to create a more visually entertaining experience for the user." However, neither the applied art nor the Office Action explains why incorporation of Smith's game system would make Baldwin's teaching a more visually entertaining experience.

As discussed at col. 1, lines 15-21, Baldwin is related to computer graphics and animation system, which is apparently connected to a display system. Smith merely teaches a game system with connectivity to a TV. Therefore, Applicants respectfully assert that such incorporation would results in a mere change in the way to output the image generated.

Therefore, it is not a proper motivation to establish a *prima facie* case of obviousness and to do so must rely on impermissible hindsight gained from Applicant's disclosure.

At least for the reasons described above, Applicant respectfully asserts that claim 1 is patentably distinct from the applied art.

Claim 12 recites features similar to claim 1. Method claim 23 recites transforming a depth value of each pixel of an original image into a second depth value formed of lower bits I to J which are positioned lower than the most significant bit of the depth value. Similar to the above-described patentable distinctions and improper motivation for combination with respect to claim 1, Applicant respectfully submits that claims 12 and 23 are patentably distinct from the applied art.

Dependent claims 2-6, 8, 10, 13-17, 19, 21, 24-28, 30 and 32 are allowable at least for their dependence on allowable claims 1, 12 and 23, respectively, as well as for the additional features they recite.

Claim 7 recites, *inter alia*, means which determines second image information formed of bits I to J (where $K \geq I \geq L > M \geq J \geq N$) in the image information based on third and fourth image information.

The Office Action alleges that col. 29, line 5-col. 31, line 5 of Baldwin teaches this feature. However, this section does not specifically teach or suggest at all any relations between the bits.

Moreover, Applicant respectfully submits that the alleged motivation for combining Baldwin and Smith is improper. The Office Action states that one would be motivated to combine Baldwin and Smith "in order to create a more realistic animated graphical experience for the user." As discussed above in relation to claim 1, Applicant respectfully submit that no such motivation exists to establish *prima facie* case of obviousness of the invention, and it is believe that the Patent Office is relying on impermissible hindsight knowledge gained from Applicant's disclosure.

Claim 18 recites features similar to claim 7. Method claim 29 recites determining second image information formed of bits I to J (where $K \geq I \geq L > M \geq J \geq N$) in the image information based on third and fourth image information. Similar to the above-described patentable distinctions and improper motivation for combination with respect to claim 7, Applicant respectfully submits that claims 18 and 29 are patentably distinct from the applied art.

Dependent claims 9, 11, 20, 22, 31 and 33 are allowable at least for their dependence on allowable claims 7, 18 and 29, respectively, as well as for the additional features they recite.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

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